

REMARKS

Claims 1-11 are all the claims pending in the application. Claims 1-3, 5 and 6 are amended to correct a minor spelling error in their preambles, in a manner that is not believed to be narrowing. Further, claims 12-15 are added in a manner that is not believed to add new matter.

In view of the foregoing amendments and following remarks, applicant respectfully requests withdrawal of the rejections, and allowance of the claims.

I. Allowed and Allowable Subject Matter

Applicant thanks the Examiner for the indication of allowable subject matter in claims 5 and 6, subject to their incorporation into the independent claims from which they depend, as well as the indication that claims 1, 4 and 7-11 are allowed. However, applicant respectfully declines to rewrite claims 2 and 3 to include the subject matter of claims 5 and 6 at this time, pending further reconsiderations of the rejection of claims 2 and 3 for at least the reasons discussed below.

II. Claims 2 and 3 would not have been obvious

Claims 2-3 stand rejected due to alleged obviousness under 35 USC 103(a), over Ayres in view of Trossen et al. (U.S. Patent Publication No. 2004/0111476). Applicant respectfully submits that the proposed combination of references fails to disclose or suggest all of the claimed combinations of features recited in claims 2 and 3, for at least the reasons discussed below.

As explained by the Examiner, Ayres does not disclose or suggest detecting traffic of a radio channel connected to the mobile phone, and when the detected traffic is lower than a

threshold, distributing video information from the video contents server to the mobile phone based on push technology, as recited in claim 2. Similarly, Ayres does not disclose detecting that the mobile phone exists in an area, detecting traffic of a radio channel connected to the mobile phone at a time when it has been detected that the mobile phone exists in the specific area, and when the detected traffic is lower than a threshold, distributing video information about the specific area from the video contents server to the mobile phone based on said push technology as recited in claim 3.

The Examiner proposes to combine Trossen with Ayres to cure the acknowledged deficiency of Ayres, based on the asserted motivation that one skilled in the art at the time of the invention would have found it obvious in order to allow rules to be defined to facilitate fast, efficient and inexpensive delivery of media to subscribers as taught by Trossen.

Trossen discloses delivery of media content based on specific rules. Various types of multimedia data and rules are disclosed throughout Trossen. As cited by the Examiner, rules are provided that permit delivery of certain portions or types of multimedia messages, as well as transmission with respect to overall network traffic.

Applicant respectfully submits that Trossen does not disclose *when* the traffic is detected, and more specifically, that the traffic is detected *when it has been detected that the mobile phone exists in the specific area*, and further, distributing video information *about the specific area* when the detected traffic is below a threshold, as recited in claim 3. Applicant respectfully submits that the Examiner has not demonstrated the disclosure or suggestion of this claimed

feature in either of the references, and thus applicant respectfully submits that a *prima facie* case of obviousness has not been established in this regard with respect to independent claim 3.

Additionally, applicant respectfully submits that the proposed combination fails to disclose or suggest registering a user request for information *about an area*, as recited in claim 2, and further fails to disclose or suggest detecting radio traffic of a radio channel connected to the mobile phone *at a time when it has been detected that the mobile phone exists in the specific area*, as recited in claim 3.

Applicant respectfully submits that the video information service of Ayres is not specifically associated with the area in which the kiosk resides; thus, Ayres does not disclose the recitation of the specific *area* in claims 2 and 3. Further, applicant respectfully submits that Trossen fails to cure this deficiency, because Trossen also does not disclose or suggest that the video information therein is *associated with the area in which the mobile phone is located*. For example, but not by way of limitation, both Ayres and Trossen appear to be directed to general contents that are independent of the area of the mobile phone, such as movies, music, and the like.

Claims 2 and 3 each require that the video information service be *area-specific*, and dependent on the presence of the mobile phone in that area. Thus, applicant respectfully submits that neither of the prior art references discloses or suggest these claimed features. Further, applicant respectfully submits that one skilled in the art at the time of the invention would not have been motivated to modify the existing structure of Ayres in view of Trossen. While the Examiner asserts that such a combination would result in a fast, efficient and inexpensive

delivery of media content, applicant respectfully submits that such motivation, if it did exist, would still be insufficient to motivate one skilled in the art at the time of the invention to make the combination *area-specific*, as required by claims 2 and 3.

Additionally, applicant respectfully submits that the proposed combination fails to disclose or suggest distributing information *about the specific area* from the video contents server to the mobile phone, as recited in claim 3.

For at least the foregoing reasons, applicant respectfully requests withdrawal of the obviousness rejections, and allowance of the claims.

III. New Claims

As shown in the foregoing amendments, applicant has added new claims 12-15. Applicant respectfully submits that new claims 12-15 are in proper condition for allowance, and do not add new matter. For example, see claim 5 with respect to claims 12-13 and claim 6 with respect to claims 14-15. Accordingly, applicant respectfully requests allowance of the new claims.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

US Application Serial No. 10/781,628
Amendment under 37 C.F.R. § 1.111

Attorney Docket No. Q79816

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: December 6, 2006